

MARCH 23, 2018

ATTN: COMPLIANCE TRACKER, AE-18J  
AIR ENFORCEMENT AND COMPLIANCE ASSURANCE BRANCH  
U.S. ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 W. JACKSON BOULEVARD  
CHICAGO, IL 60604

SENT VIA OVERNIGHT DELIVERY

ATTORNEYS AT LAW

JARED K. HASSAN  
jared@hassancables.com

STEWART D. CABLES  
stewart@hassancables.com

RYAN C. CHUBB  
ryan@hassancables.com  
[associate]

ANDREW D. ROTHBERG  
andrew@hassancables.com  
[associate]

JESSICA R. CREEVY  
jessica@hassancables.com  
[of counsel]

**RE: Holderdown Performance, LLC – Response to Request for Information Dated December 18, 2017**

Dear Mr. Edward Nam,

This letter and its attachments are hereby submitted as a response to the above referenced Request for Information Under §208(a) of the Clean Air Act, 42 U.S.C. §7542(a) (the “**Request**”), issued by the United States Environmental Protection Agency (“**EPA**”) to Holderdown Performance, LLC (“**Holderdown**”).

Holderdown makes the following general qualifications and objections to the Request:

- 1) Holderdown objects to the Request, and any part thereof, to the extent it seeks privileged information, including any and all communications and documents that are protected from disclosure by either the attorney-client communication privilege or attorney work-product doctrine.
- 2) Holderdown objects to the Request, and any part thereof, to the extent it improperly seeks information beyond the scope of the EPA’s authority under Section 208(a) of the Clean Air Act, 42 U.S.C. §7442(a), and therefore is not a property exercise of the EPA’s information gathering authority.
- 3) Holderdown objects to the Request, and any part thereof, to the extent it is unduly burdensome and oppressive.
- 4) Holderdown objects to the Request, and any part thereof, to the extent it is vague or ambiguous or otherwise likely to lead to confusing, misleading, inaccurate or incomplete responses.
- 5) Holderdown reserves the right to supplement and revise its responses set forth herein and further reserves the right to assert additional objections as it continues to evaluate its response.
- 6) Holderdown hereby requests confidential treatment for the documents and information designated as “confidential business information” (“**CBFI**”) to the extent information in the files and documents is designated as confidential business information.

Notwithstanding the foregoing and without waiving any of the aforementioned qualifications and objections, Holderdown has included the relevant numbered requests followed by Holderdown's response thereto. The numbers of the responses below correspond to the numbers of the specific requests included in Appendix B of the Request.

## **RESPONSES**

### **Response to Request No. 1**

Please see the responses set forth in the Appendix B – Request 1 spreadsheet.

Jaran Holder, a member and manager of Holderdown, was consulted in preparation of this response.

### **Response to Request No. 2**

Please see the responses set forth in the Appendix B – Request 2 spreadsheet.

Jaran Holder was consulted in preparation of this response.

### **Response to Request No. 3**

(a) No such advertisements exist.

(b) Holderdown is preparing these materials for disclosure.

(c) Holderdown is preparing these materials for disclosure.

(d) Copies of invoices are enclosed herewith, see HD0001-58. Holderdown is preparing additional materials for disclosure.

(e) Please see the invoices referenced in response to Request No. 3(d).

Jaran Holder was consulted in preparation of this response.

### **Response to Request No. 4**

Certain of the invoices issued by Holderdown contain the language described in Request No. 4. Please see HD0058.

Jaran Holder was consulted in preparation of this response.

### **Response to Request No. 5**

No such documentation exists.

Jaran Holder was consulted in preparation of this response.

### **Response to Request No. 6**

Holderdown objects to this request as it is vague, ambiguous and likely to lead to a confusing, misleading, inaccurate or incomplete response. Holderdown does not have knowledge regarding whether or not an

unrelated entity conducted the tests described in this request with regard to the parts and components identified in its response to Request No. 1. Holderdown did not conduct any of the tests set forth in Request No. 6 with regard to the parts and components identified in its response to Request No. 1.

Jaran Holder was consulted in preparation of this response.

**Response to Request No. 7**

Holderdown does not have knowledge regarding whether the manufacturer of the parts and components identified in its response to Request 1 submitted applications for an Executive Order to CARB. Holderdown did not submit any applications for an Executive Order to CARB with regard to the parts and components identified in its response to Request 1.

Jaran Holder was consulted in preparation of this response.

**Response to Request No. 8**

10918 US Highway 50, North Bend, Ohio 45052.

Jaran Holder was consulted in preparation of this response.

**Response to Request No. 9**

All persons consulted in preparing the responses to the Request are identified in the responses set forth above.

Holderdown Performance, LLC stands willing to discuss the foregoing responses with the EPA at a mutually convenient time.

Sincerely,



Stewart D. Cables, Partner  
Hassan+Cables, LLC  
1035 Pearl Street, Suite 200  
Boulder, CO 80302  
(303)625-1025  
stewart@hassancables.com

**CERTIFICATION**

I certify that I am fully authorized by Holderdown Performance, LLC, to provide the above information on its behalf to the EPA.

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act, 42 U.S.C. §7413(c)(2), and 18 U.S.C. §§ 1001 and 1341.

A handwritten signature in black ink, appearing to read 'J. Holder', is written over a horizontal line.

Jaran Holder, Manager  
Holderdown Performance, LLC